

REMARKS

Claims 1-7 and 23-32 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claims 1, 5 and 27 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

By way of the present amendment, Applicant submits that Claims 1 and 5 have been amended. With regard to Claim 27, Applicant respectfully submits that "said calibrating the multi-part bottom" and "the plurality of reinforcing ribs" have sufficient antecedent basis as those terms are used in Claim 23 and Claim 25 from which Claim 27 indirectly and directly depends, respectively. Reconsideration and withdrawal of the present rejection are respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-2, 23-24, and 30-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sollo (U.S. Pat. No. 6,782,599) in view of Zani (U.S. Pat. No. 4,204,607). This rejection is respectfully traversed.

At the outset, Applicant wishes to note that independent Claim 1 claims "calibrating the multi-part bottom using a displacement controlled pressing device having a position control following the connecting of the base body to the multi-part

bottom such that the multi-part bottom is bulged inwards with respect to the lower side thereof a predetermined distance" and independent Claim 23 claims "calibrating the multi-part bottom by a displacement-controlled pressing device having a position control such that the bottom is bulged inwards with respect to a lower side of the multi-part bottom following the connecting of the base body to the multi-part bottom."

Generally, it is known from the state of the art to manufacture aluminum sandwich bottoms by means of inductive soldering. However, due to high heat insertion during the soldering process and the different heat expansion properties of the material to be joined (i.e. steel and aluminum), the bottom can bulge outwards (concave) after soldering. This bulging can prevent the cookware from resting planar on the cooking surface. To overcome this problem, the present invention claims a further process step, to be completed after connecting the multi-part bottom to the base body, that allows correct geometric calibration (slightly convex) of the bottom such that it rests planar on the cooking surface during heating.

This calibration is completed using a "displacement-controlled" press device, such as a toggle press. Due to the different material components of the cookware bottom and the manufacturing process, the exact force necessary for this calibration can vary. Conventional force-controlled presses can not accommodate such material variations and can result in unreliable calibration. However, the present teachings employ the displacement-controlled press device that can calibrate the multi-part bottom, irrespective of the materials, to a known shape.

In contrast, Sollo and Zani fail to teach or suggest the claimed invention. Specifically, Zani merely teaches individual components of a cookware device, but is

completely silent with regard to calibration of the bottom to overcome the known deficiencies of this type of design. In fact, Zani could be expected to suffer from disadvantage discussed herein and the originally filed application. Likewise, Sollo merely teaches a process for manufacturing a cookware device. However, again like Zani, Sollo is completely silent with regard to the need and the claimed method of calibrating the cookware device.

For at least these reasons, Applicant submits that Sollo and Zani, either singly or in combination, fail to teach or suggest the claimed invention of independent Claims 1 and 23. Likewise, Applicant submits that Sollo and Zani fail to teach or suggest the claimed invention set forth in the claims dependent on Claims 1 and 23. Reconsideration and withdrawal of the present rejection are respectfully requested.

Claims 3-4 and 25-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sollo (U.S. Pat. No. 6,782,599) in view of Zani (U.S. Pat. No. 4,204,607) as applied to Claims 1 and 23 above and further in view of Chatterton et al. (U.S. Pat. No. 6,149,053). Claims 5, 7, 27 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sollo (U.S. Pat. No. 6,782,599) in view of Zani (U.S. Pat. No. 4,204,607) as applied to Claims 1 and 23 above and further in view of Chatterton et al. (U.S. Pat. No. 6,149,053) and Bessenbach et al. (U.S. Pat. No. 5,064,055). Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Sollo (U.S. Pat. No. 6,782,599) in view of Zani (U.S. Pat. No. 4,204,607) as applied to Claim 1 above, and further in view of Kim (U.S. Pub. No. 2004/0226456 A1). Claim 28 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Sollo (U.S.

Pat. No. 6,782,599) in view of Zani (U.S. Pat. No. 4,204,607) as applied to Claim 23 above, and further in view of Kim (U.S. Pub. No. 2004/0226456 A1) and Muller (U.S. Pat. No. 5,881,635). These rejections are respectfully traversed.

At the outset, Applicant respectfully directs the Examiner's attention to the arguments set forth above in connection with independent Claims 1 and 23, as Claims 3, 4, 5, 6, 7, 25, 26, 27, 28, and 29 depend therefrom. Likewise, Applicant submits that Chatterton et al., Bessenbach et al., and Kim each fails to teach or suggest the claimed calibration step using a displacement-controlled press device following a connecting step by which the base body and multi-part bottom are joined. For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the present rejection.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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